FBI Sued by Freedom Rider Crippled in '61 KKK Beating

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By Paul Maguusson
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GRAND RAPIDS, Mich., Jan. 4—A former "freedom rider" crippled after an attack by members of the Ku Klux Klan in Alabama in 1961 filed suit today in U.S. District Court here against FBI Director Clarence M. Kelley and other top bureau officials who were FBI agents in the South at the time for their alleged failure to stop Klan beatings of civil rights workers.

The suit, sponsored by the American Civil Liberties Union, seeks $1 million in damages for Walter and Frances Bergman, who were part of a team of seven freedom riders beaten by white vigilantes at a rest stop in Anniston, Ala., May 14, 1961.

Bergman, 77, a former Wayne State University professor and Detroit school board official, and his wife, Frances, 73, were active civil rights workers who volunteered to be among the first to test a 1960 Supreme Court decision integrating facilities catering to travelers on interstate buses. The beating Bergman suffered left him partially paralyzed and confined to a wheelchair.

The suit stems from testimony given in 1975 by Gary Thomas Rowe, a Klan infiltrator for the FBI, before the Senate intelligence committee that the FBI knew of Klan plans to attack the "freedom riders" but did nothing to stop the violence.

Bergman was knocked to the floor of the bus and kicked repeatedly in the head during a rest stop in Anniston by a mob that also set fire to a second bus, sending several freedom riders to the hospital. No one was ever convicted in connection with the beatings, according to the suit.

A third freedom rider on the Bergmans' bus, James Peck, 61, an official with the War Resisters League in New York, has already sued the FBI for $600,000 in damages for the beating he suffered in Montgomery during that same May 14, 1961, ride.

Rowe told the Senate committee that he helped to negotiate an agreement with the Alabama state police and the Montgomery city police that gave Klansmen 15 uninterrupted minutes in Montgomery that day to beat civil rights workers with baseball bats, clubs and chains.

Rowe said his FBI superiors were kept informed of the progress of the negotiations and even sent observers to the bus station in Montgomery to take photographs.

Bergman was not beaten in the Montgomery incident, but his suit claims that the FBI knew that Alabama state police were tracking the bus and would not interfere with violence against its passengers anywhere in Alabama.

The FBI has responded by claiming it had no jurisdiction under federal law to intervene in what should have been a local police matter.

The Bergmans' Detroit attorney, William Goodman, said today that he hopes to subpoena FBI Director Kelley, who was agent in charge of the Memphis FBI bureau at the time, and assistant director Richard Held, then in charge of the Mobile, Ala., office. both are named in the suit along with Thomas Jenkins, an associate director now and then in charge of the Birmingham office.